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Hollingsworth & Funk, LLC 8009 34th Avenue South Suite 125 Minneapolis, MN 54425				
EXAMINER				
NGUYEN, KHAI MINH				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/748,981

Applicant(s)

JAAKKOLA ET AL.

Examiner

KHAI M. NGUYEN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12/9/2008 have been fully considered but they are not persuasive.

Regarding claims 1-20, Applicant argues, of the remarks, that Balogh in view of Blatherwick do not disclose, teach, or suggest " (1) storing in a terminal connection settings and network identifiers, wherein at least one network identifier of the stored network identifiers is associated with at least some of the alternative connection settings, the network identifier identifying a target network reachable by a connection from the terminal, (2) comparing, in the terminal, the current network identifier identifying a target network of a current connection of the terminal and associated with the currently applied at least one connection setting to the stored network identifiers associated with at least one other available connection settings, (3) selecting at least one connection setting associated with the same network identifier as the network identifier associated with the currently applied at least one connection setting; and (4) carrying out a handover related function to continue providing access to the target network via a new access point by using the selected at least one connection setting."

First, Balogh clearly discloses storing in a terminal connection settings and network identifiers (abstract (Information sets describing settings needed to access networks and their resources are stored in the terminal)), wherein at least one network identifier (resources/network name) of the stored network identifiers is associated with at least some of the alternative connection settings (pg.2, lines 31-33 (the settings

stored are network-specific, there may also be setting related to other networks)), the network identifier (resources/network name) identifying a target network reachable by a connection from the terminal (abstract, pg.2, lines 20-29),

Second, Balogh clearly discloses comparing (fig.4, item 406), in the terminal (fig.5), the current network identifier (resources/network name) identifying a target network of a current connection of the terminal (pg.9, lines 6-29 the information sets and networks that may be used in the current location area of the terminal MS, the MS performs a scanning of available networks (connecting)) and associated with the currently applied at least one connection setting to the stored network identifiers associated with at least one other available connection settings (fig.4, pg.9, lines 6-29),

Third, Balogh clearly discloses selecting at least one connection setting associated with the same network identifier (network name) as the network identifier (network name) associated with the currently applied at least one connection setting (pg.9, lines 6-35)

Final, Blatherwick clearly disclose carrying out a handover related function to continue providing access to the target network (first service provider) via a new access point (second service provider) by using the selected at least one connection setting (col.6, lines 55-64).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C.103(a) as being unpatentable over Balogh (WO 01/63843) in view of Blatherwick et al. (U.S.Pat-6269395).

Regarding claim 1, Balogh teaches a method comprising:

storing in a terminal connection settings and network identifiers (abstract (Information sets describing settings needed to access networks and their resources are stored in the terminal)), wherein at least one network identifier (resources/network name) of the stored network identifiers is associated with at least some of the alternative connection settings (pg.2, lines 31-33 (the settings stored are network-specific, there may also be setting related to other networks)), the network identifier (resources/network name) identifying a target network reachable by a connection from the terminal (abstract, pg.2, lines 20-29),

comparing (fig.4, item 406), in the terminal (fig.5), the current network identifier (resources/network name) identifying a target network of a current connection of the terminal (pg.9, lines 6-29 the information sets and networks that may be used in the current location area of the terminal MS, the MS performs a scanning of available networks (connecting)) and associated with the currently applied at least one connection setting to the stored network identifiers associated with at least one other available connection settings (fig.4, pg.9, lines 6-29),

selecting at least one connection setting associated with the same network identifier (network name) as the network identifier (network name) associated with the currently applied at least one connection setting (pg.9, lines 6-35)

Balogh fails to specifically disclose carrying out a handover related function to continue providing access to the target network via a new access point by using the selected at least one connection setting.

However, Blatherwick teaches carrying out a handover related function to continue providing access to the target network (first service provider) via a new access point (second service provider) by using the selected at least one connection setting (col.6, lines 55-64).

Therefore, it would have been obvious to one having ordinary in the art at the time the invention was made to apply the teaching of Blatherwick to Balogh to allowing the user to connect with different access points or service providers relatively efficiently and transparently and allowing the user to select applications or services provided through different access points transparently and with relative ease, without concern for which service provider provides a given service.

Regarding claim 2, Balogh and Blatherwick further teach the method according to claim 1, wherein the network identifiers of the other available connection setting are checked in response to a need to arrange handover (see Balogh, fig.4, pg.9, lines 6-35) for the original connection based on the currently applied at least one connection setting (see Blatherwick, col.6, lines 39-54).

Regarding claim 3, Balogh and Blatherwick further teach the method according to claim 2, wherein at least one available connection setting associated with a different network identifier than the one associated with the at least one currently applied connection setting is dropped (see Balogh, abstract, page 2, line 2 to page 3, line 9 (brief description of the invention)), and a handover algorithm is executed for the remaining connection settings (see Blatherwick, col.6, lines 39-54).

Regarding claim 4, Balogh and Blatherwick further teach the method according to claim 1, wherein at least one other available connection setting associated with a different network identifier (see Balogh, fig.4, pg.9, lines 6-35) than the one associated with the at least one currently applied connection setting is dropped (see Balogh, abstract, page 2, line 2 to page 3, line 9 (brief description of the invention)), and

a handover algorithm is executed for the remaining connection settings (see Blatherwick, col.6, lines 39-54).

Regarding claim 5, Balogh and Blatherwick further teach the method according to claim 1, wherein the network identifier associated with at least one connection setting selected by a handover algorithm is checked (see Blatherwick, col.6, lines 39-54), and

handover is carried out using the selected at least one connection setting if the network identifier is the same as the network identifier associated with the currently applied at least one connection setting (see Blatherwick, col.6, lines 55-64), or

at least one new connection setting is selected (see Balogh, abstract, page 2, line 2 to page 3, line 9 (brief description of the invention)).

Regarding claim 6, Balogh and Blatherwick further teach the method according to claim 1, wherein at least one network identifier is defined internally in the terminal and associated with at least one connection setting (see Balogh, abstract, page 2, line 2 to page 3, line 9 (brief description of the invention)).

Regarding claim 7, Balogh and Blatherwick further teach the method according to claim 1, wherein the connection setting are grouped as alternative groups of connection setting such that at least one network identifier is associated with each group (see Balogh, abstract, page 2, line 2 to page 3, line 9 (brief description of the invention)), the network identifiers of different groups are compared with the network identifier associated (see Balogh, abstract, pg.9, lines 6-35) with the currently applied at least on connection setting and the group of connection settings associated with a network identifier that is the same as the network identifier associated with the currently applied at least one connection setting is selected for the new connection (see Blatherwick, col.6, lines 55-64).

Regarding claim 8, Balogh and Blatherwick further teach the method according to claim 1, wherein the at least one available connection setting is determined based on information received from the network (see Balogh, abstract, pg.9, lines 6-35).

Regarding claim 9, Balogh teaches a wireless terminal comprising means for establishing access with a wireless network, wherein

memory for storing in a terminal connection settings and network identifiers (abstract (Information sets describing settings needed to access networks and their

resources are stored in the terminal)), wherein at least one network identifier (resources/network name) of the stored network identifiers is associated with at least some alternative connection settings (pg.2, lines 31-33 (the settings stored are network-specific, there may also be setting related to other networks)), the network identifier (resources/network name) identifying a target network reachable by a connection from the terminal (abstract, pg.2, lines 20-29), and

a processor for comparing (fig.4, item 406) a current network identifier (resources/network name) identifying a target network of a current connection of the terminal (pg.9, lines 6-29 the information sets and networks that may be used in the current location area of the terminal MS, the MS performs a scanning of available networks (connecting)) and associated with the currently applied at least one connection setting to the stored network identifiers associated with at least one other available connection settings (fig.4, pg.9, lines 6-29) to select at least one connection setting associated with the same network identifier (network name) as the network identifier (network name) associated with the currently applied at least one connection setting (pg.9, lines 6-35), and

Balogh fails to specifically disclose carrying out a handover related function to continue providing access to the target network via a new access point by using the selected at least one connection setting.

However, Blatherwick teaches carrying out a handover related function to continue providing access to the target network (first service provider) via a new access

Art Unit: 2617

point (second service provider) by using the selected at least one connection setting (col.6, lines 55-64).

Therefore, it would have been obvious to one having ordinary in the art at the time the invention was made to apply the teaching of Blatherwick to Balogh to allowing the user to connect with different access points or service providers relatively efficiently and transparently and allowing the user to select applications or services provided through different access points transparently and with relative ease, without concern for which service provider provides a given service.

Regarding claim 10 is rejected with the same reasons set forth in claim 2.

Regarding claim 11, Balogh and Blatherwick further teach the terminal according to claim 10, wherein processor drops at least one available connection setting associated with a different network identifier than the one associated with the at least one currently applied connection setting (see Balogh, abstract, page 2, line 2 to page 3, line 9 (brief description of the invention)), and

executes a handover algorithm for the remaining connection settings (see Blatherwick, col.6, lines 39-54).

Regarding claim 12, Balogh and Blatherwick further teach the terminal according to claim 9, wherein processor drops at least one available connection setting associated with a different network identifier than the one associated with the at least one currently applied connection setting (see Balogh, abstract, page 2, line 2 to page 3, line 9 (brief

description of the invention))), and executes a handover algorithm for the remaining connection settings (see Blatherwick, col.6, lines 39-54).

Regarding claim 13, Balogh and Blatherwick further teach the terminal according to claim 9, wherein the terminal is configured to check the network identifier associated with at least one connection setting selected by a handover algorithm (see Balogh, pg.9, lines 6-35), and the terminal is configured to carry out the handover using the selected at least one connection setting if the network identifier is the same as the network identifier associated with the currently applied at least one connection setting (see Blatherwick, col.6, lines 39-54), or

the terminal is configured to select at least one new connection setting (see Blatherwick, col.6, lines 39-54).

Regarding claim 14, Balogh and Blatherwick further teach the terminal according to claim 9, wherein the terminal is configured to define at least one network identifier internally (see Blatherwick, col.6, lines 39-54) and the terminal is configured to associate the network identifier with at least one connection setting (see Blatherwick, col.6, lines 39-54).

Regarding claim 15, Balogh and Blatherwick further teach the terminal according to claim 9, wherein the connection setting are grouped as alternative groups of connection setting, and at least one network identifier is associated with each group (see Balogh, abstract, pg.9, lines 6-35), whereby the terminal is configured to compare

the network identifiers of different groups with the network identifier associated with the currently applied at least one connection setting (see Balogh, abstract, pg.9, lines 6-35),

The terminal is configured to select for the new connection one of the groups having the same network identifier as associated with the currently applied at least one new connection setting is selected (see Blatherwick, col.6, lines 55-64).

Regarding claim 16, Balogh and Blatherwick further teach the terminal according to claim 9, wherein the terminal is configured to determine the available at least one connection setting based on information received from the network (see Balogh, abstract, pg.9, lines 6-35).

Regarding claim 17, Balogh teaches a computer-readable medium, wherein said computer-readable medium comprises computer-executable instructions stored thereon for controlling a wireless terminal to:

store connection settings and network identifiers (abstract (Information sets describing settings needed to access networks and their resources are stored in the terminal)), wherein at least one network identifier (resources/network name) of the stored network identifiers is associated with at least some alternative connection settings (pg.2, lines 31-33 (the settings stored are network-specific, there may also be setting related to other networks)), the network identifier (resources/network name) identifying a target network reachable by a connection from the terminal (abstract, pg.2, lines 20-29),

compare (fig.4, item 406) a current network identifier (resources/network name) identifying a target network of a current connection of the terminal (pg.9, lines 6-29 the information sets and networks that may be used in the current location area of the terminal MS, the MS performs a scanning of available networks (connecting)) and associated with the currently applied at least one connection setting to the stored network identifiers associated with available other connection settings (fig.4, pg.9, lines 6-29),

select at least one connection setting associated with the same network identifier (network name) as the network identifier (network name) associated with the currently applied at least one connection setting (pg.9, lines 6-35)

Balogh fails to specifically disclose carrying out a handover related function to continue providing access to the target network via a new access point by using the selected at least one connection setting.

However, Blatherwick teaches carrying out a handover related function to continue providing access to the target network (first service provider) via a new access point (second service provider) by using the selected at least one connection setting (col.6, lines 55-64).

Therefore, it would have been obvious to one having ordinary in the art at the time the invention was made to apply the teaching of Blatherwick to Balogh to allowing the user to connect with different access points or service providers relatively efficiently and transparently and allowing the user to select applications or services provided

through different access points transparently and with relative ease, without concern for which service provider provides a given service.

Regarding claim 18 is rejected with the same reasons set forth in claim 2.

Regarding claim 19, Balogh teaches an apparatus comprising:

means for establishing access with a wireless network (abstract),

means for storing in a terminal connection settings and network identifiers (abstract (Information sets describing settings needed to access networks and their resources are stored in the terminal)), wherein at least one network identifier (resources/network name) of the stored network identifiers is associated with at least some of the alternative connection settings (pg.2, lines 31-33 (the settings stored are network-specific, there may also be setting related to other networks)), the network identifier (resources/network name) identifying a target network reachable by a connection from the terminal (abstract, pg.2, lines 20-29),

means for comparing (fig.4, item 406), in the terminal (fig.5), the current network identifier (resources/network name) identifying a target network of a current connection of the terminal (pg.9, lines 6-29 the information sets and networks that may be used in the current location area of the terminal MS, the MS performs a scanning of available networks (connecting)) and associated with the currently applied at least one connection setting to the stored network identifiers associated with at least one other available connection settings (fig.4, pg.9, lines 6-29) to select at least one connection setting associated with the same network identifier (network name) as the network

Art Unit: 2617

identifier (network name) associated with the currently applied at least one connection setting (pg.9, lines 6-35)

Balogh fails to specifically disclose carrying out a handover related function to continue providing access to the target network via a new access point by using the selected at least one connection setting.

However, Blatherwick teaches carrying out a handover related function to continue providing access to the target network (first service provider) via a new access point (second service provider) by using the selected at least one connection setting (col.6, lines 55-64).

Therefore, it would have been obvious to one having ordinary in the art at the time the invention was made to apply the teaching of Blatherwick to Balogh to allowing the user to connect with different access points or service providers relatively efficiently and transparently and allowing the user to select applications or services provided through different access points transparently and with relative ease, without concern for which service provider provides a given service.

Regarding claim 20 is rejected with the same reasons set forth in claim 2.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/
Examiner, Art Unit 2617

3/12/2009